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6 *Attorney for Plaintiff*
7 *Ginger L. Simpson, Nye County*
8 *Public Administrator, as Administrator*
9 *of the Estate of David P. Stevens*

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 GINGER L. SIMPSON, NYE COUNTY
13 PUBLIC ADMINISTRATOR, as Administrator
14 of the ESTATE OF DAVID P. STEVENS,

15 Plaintiff,

16 vs.

17 BANK OF AMERICA,

18 Defendant.

Case No. 2:23-cv-01963-JAD-NJK

**STIPULATION AND ORDER TO
EXTEND DISCOVERY
SCHEDULING DEADLINES**

SECOND REQUEST

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22 Plaintiff Nye County Public Administrator, as Administrator of the Estate of David P.
23 Stevens (“Stevens Estate”), by and through her counsel of record, Paul C. Ray Chtd., and
24 Defendant Bank of America (“BANA”), by and through their counsel of record, John S.
25 Delikanakis and Michael Mestre, hereby stipulate and agree to extend the deadlines set forth in
26 the Discovery Plan pursuant to LR 26-3.
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A. **Discovery completed:** The Stevens Estate provided its Rule 26 Disclosures on May 22, 2024, which includes 459 pages of documents broken into 22 categories. BANA served its First Set of Requests for production of Documents, and the Stevens Estate provided its Response on May 22, 2024. BANA served its First Set of Interrogatories, and the Stevens Estate served its Response on May 22, 2024.

B. **Discovery remaining:** The Stevens Estate has provided its list of topics for BANA's Fed. R. Civ. P. 30(b)(6) deposition. BANA has set the deposition of Ginger Simpson, who is the Nye County Public Administrator. These depositions were initially scheduled for May 30 and May 31. They are now scheduled to take place June 18 through 20.

The Stevens Estate has filed a motion to compel discovery of BANA's investigation of the unauthorized payments from the Stevens Estate's bank accounts. BANA objects on the grounds of the Suspicious Activity Report privilege. Resolution of the scope of the privilege and discovery is required.

C. **The reasons why the remaining discovery was not completed within the time limits set by the discovery plan:** The parties did not anticipate the dispute about the scope of applicability of the SAR privilege or the need for additional review to resolve this discovery issue.

D. Proposed Schedule:

<u>Description</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Close of Discovery	May 31, 2024	July 30, 2024
Dispositive Motion Deadline	July 1, 2024	August 29, 2024
Pre-trial Order	July 31, 2024	September 30, 2024

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2 DATED this 30th day of May, 2024.

3 PAUL C. RAY, CHTD.

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5 By: /s/ Paul C. Ray
6 Paul C. Ray, Esq. (NV Bar No. 4365)
7 8670 West Cheyenne Avenue, Suite 130
8 Las Vegas, Nevada 89129
Attorney for Plaintiff

DATED this 30th day of May, 2024.

SNELL & WILMER LLP

By: /s/ John S. Delikanakis
John S. Delikanakis, Esq. (NV Bar No. 5928)
Michael Mestre, Esq.
3883 Howard Hughes Parkway, Suite 1100
Attorneys for Defendant

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12 **IT IS SO ORDERED:**

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15 _____
16 United States Magistrate Judge

17 DATED: May 31, 2024
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